

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control \_\_\_\_\_ Department or Agency: Alabama Board of Electrical Contractors

Rule No.: 303-X-5

Rule Title: Continuing Education

X New \_\_\_\_\_ Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference

Would the absence of the proposed rule significantly Harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's Police power and the protection of the public health, Safety, or welfare? Yes

Is there another, less restrictive method of regulation Available that could adequately protect the public? No

Does the proposed rule have the effect of directly or Indirectly increasing the costs of any goods or services Involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public Than the harm that might result from the absence of The proposed rule? No

Are all facets of the rulemaking process designed solely For the purpose of, and so they have, as their primary Effect, the protection of the public? Yes

\*\*\*\*\*

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama, 1975.

\*\*\*\*\*

**Certification of Authorized Official**

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 

Date: September 17, 2012

(DATE FILED)  
(STAMP)

**Alabama Board of Electrical Contractors**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Alabama Board of Electrical Contractors

**RULE NO. & TITLE:** 303-X-5 Continuing Education

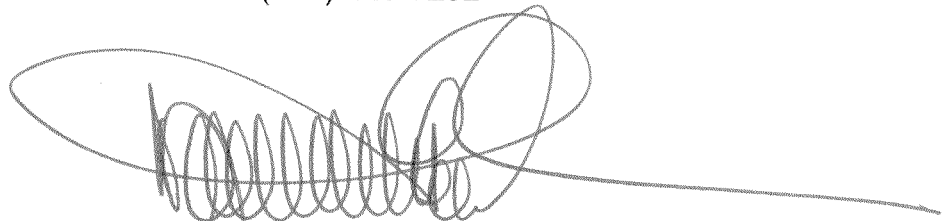
**INTENDED ACTION:** New

**SUBSTANCE OF PROPOSED ACTION:** The Board proposes to promulgate this rule relating to continuing education that establishes the guidelines for continuing education provider approval procedures, fees and requirements. This rule also further defines the type continuing education required of licensees prior to their renewals as well as specific number of hours in certain areas.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Written comments will be received by the Board until 4:30 p.m. on Friday, November 2, 2012. Comments should be directed to Keith E. Warren, Executive Director at 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at [keith@warrenandco.com](mailto:keith@warrenandco.com) or via telephone at 334-420-7232.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**  
Friday, November 2, 2012.

**CONTACT PERSON AT AGENCY:** Keith E. Warren  
Executive Director  
2777 Zelda Road  
Montgomery, AL 36106  
(334) 420-7232

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Keith E. Warren, *Executive Director*  
Alabama Board of Electrical Contractors

ALABAMA STATE BOARD OF ELECTRICAL CONTRACTORS  
ADMINISTRATIVE CODE

CHAPTER 303-X-4  
CONTINUING EDUCATION

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303-X-5-.01 Continuing Education Courses Required.

(1) Every licensee of the Board must complete continuing education courses in subjects relating to electrical contracting to assure the safe and proper installation of electrical work and equipment in order to protect the life, health, and property of the public.

(2) Every electrical licensee shall complete continuing education every two (2) years to renew the license on which he or she is currently listed, for the next annual license period, except as follows:

(a) electrical contractors and journeymen electricians becoming qualified by examination during the 24-month period immediately preceding the license renewal date;

(b) qualified licensed electrical contractors who have elected an inactive status;  
or

(c) persons presenting and/or instructing at least 14 (fourteen) hours of approved courses of continuing education in an educational period.

(3) The electrical contractor licensee shall complete, during the 24 (twenty-four) months (known as an educational period) immediately preceding the license renewal, a total of 14 (fourteen) hours of continuing education courses that have been approved by the Board. Seven (7) hours must be instruction in NEC/NFPA courses. An electrical contractor may accumulate additional hours over the required 14

(fourteen) hours in an educational period and carry forward not more than 6 (six) additional hours to be credited to the following two-year educational period. Attendance at any course or courses of continuing education shall be certified to the Board on a form provided by the Board and shall be submitted at the time the licensee makes application to the Board for its license renewal and payment of its license renewal fee. This continuing education requirement may be waived by the Board in cases of undue hardship or inactive status as provided for in the Rules and Regulations of the Board. Failure of a licensee to document completion of the continuing education requirements to the satisfaction of the Board shall be grounds for disciplinary action, including denial of the renewal of a license or revocation of the license.

(4) The journeyman electrician licensee shall complete, during the 24 (twenty-four) months (known as an educational period) immediately preceding the license renewal, a total of 6 (six) hours of continuing education courses that have been approved by the Board. A journeyman electrician may accumulate additional hours over the required 6 (six) hours in an educational period and carry forward not more than 2 (two) additional hours to be credited to the following two-year educational period. Attendance at any course or courses of continuing education shall be certified to the Board on a form provided by the Board and shall be submitted at the time the licensee makes application to the Board for its license renewal and payment of its license renewal fee. This continuing education requirement may be waived by the Board in cases of undue hardship or inactive status as provided for in the Rules and Regulations of the Board. Failure of a licensee to document completion of the continuing education requirements to the satisfaction of the Board shall be grounds for disciplinary action, including denial of the renewal of a license or revocation of the license.

(5) The Board, pursuant to Code of Alabama, §§ 34-36-8(b) and (c) and Rule 303-X-2-.03(3), is authorized to approve course providers, instructors, and courses. Because of differences in the electrical contracting industry and individual needs of listed licensees, each licensee must exercise judgment in selecting courses for which continuing education is claimed and in choosing only those courses that will advance the individual's knowledge. Licensees may not count the same course more than once during an educational period.

(6) All licensees of the Board must obtain the required continuing education hours by receiving credit for taking a course or courses offered by a provider approved by the Board. These courses may be offered in or outside of Alabama, provided that the Board may give subsequent approval to any courses taken outside the state of Alabama. This differs from Board approval for courses administered in the state of Alabama, which must be approved before the licensee takes the course. See Rule 303-X-5-.01(3), (4). On-line course education is considered as in-state education for the purposes of this Rule. In either event, the Board reserves the right to examine any and all courses offered for continuing education credit, pursuant to Code of Alabama, § 34-36-8(c).

(7) Any licensee may petition the Board for approval of a continuing education

course that the licensee has completed within the last 24 (twenty-four) months outside the state of Alabama. A fee of \$25 must accompany the petition for approval.

Authority: Code of Alabama, §§ 34-36-8(b); 34-36-8(c).

History:

Author: Hendon B. Coody

### **303-X-5-.02 Minimum Requirements for Course Provider Approval**

(1) Course providers may be, but are not limited to, colleges or universities, community colleges, trade associations, providers of self-study programs, employers, third party professional examination companies, or private instructors. The Board has sole authority to determine which course providers meet the standards for approval as set forth in these Rules. All providers who offer on-line or in-state education must be pre-approved by the Board for the course to be valid for continuing education purposes.

(2) Each course provider shall submit to the Board an application for continuing education provider approval on a form provided by the Board. The application shall include:

\_\_\_\_\_ (a) the name of the provider;

\_\_\_\_\_ (b) provider contact person, address, telephone number and email address;

(Note: The contact person must have authority to conduct business with the Board, including the authority to respond to inquiries by the Board on behalf of the course provider.)

\_\_\_\_\_ (c) sample course title and outline;

\_\_\_\_\_ (d) course contact hours;

\_\_\_\_\_ (e) in the case of on-site education, sample course hand-out and a copy of the exam, if an examination is given;

\_\_\_\_\_ (f) in the case of on-line education, a sample course exam;

\_\_\_\_\_ (g) schedule of courses, if established, including dates, time and locations.

(3) The provider may be asked to furnish additional information to the Board, in addition to those items listed in Rule 303-X-5-.02(2).

(4) All courses offered by the provider shall last no fewer than one (1) contact hour required for the license classification pursuant to Rule **303-X-5-.04** of this Section.

(5) All courses offered by the provider shall cover articles of the current National Electrical Code, NFPA or other subject matter relevant to the electrical construction industry.

(6) If an examination is given, the licensee must attain a passing grade of at least 70% (seventy percent) on the examination at the conclusion of the course in order to receive continuing education credit.

(7) Each provider shall pay a provider fee of \$250. each fiscal year, due upon approval and every October 1 thereafter, as long as the provider remains approved.

(8) The course provider shall provide the Board with a certified class roster of all licensees that successfully complete a course within 30 (thirty) days after the completion of each course. The provider is required to retain for a period of 5 (five) years: the names, Alabama Board of Electrical Contractors' license number, and number of hours earned, as well as the name, date and location of the course.

(9) The course provider shall provide each individual that successfully completes a course with a certificate of completion within 30 days after completion of each course.

(10) The Board shall approve or deny applications for providers at its regularly scheduled meetings or in specially called meetings, if necessary to further the Board's licensing authority in a timely manner. Appeals from denials shall be heard by the Board at the next regular meeting of the Board.

(11) Upon approval of the application, each approved provider shall agree to conduct courses in accordance with the Board's Rules and Regulations, including any amendments or changes it may implement in the future. The applicant shall indicate its agreement by signing a continuing education provider agreement form provided by the Board.

Authority:

History:

Author: Hendon B. Coody

### **303-X-5-.03 Contact Hours**

(1) Approved courses must be offered for no fewer than one (1) contact hour. A contact hour is 50 minutes of instruction in the form of seminars, lectures, conferences, or learning modules; the remaining 10 (ten) minutes is to allow for breaks.

(2) Credit shall be granted to the licensee only upon completion of an entire course.

(3) No credit shall be granted for courses attended prior to being qualified by examination.

Authority:

History:

Author: Hendon B. Coody

### **303-X-5.04 Computation of Continuing Education Hours**

(1) Group Courses and Seminars: Non-college. Continuing education credit for a group course that is not part of a college curriculum is given based on continuing education hours. A contact hour is 50 minutes of instruction. Credit is granted only for full continuing education hours.

(2) College Courses. Continuing education credit for a college course in the college curriculum is given based on college credit hours. One semester hour of college credit is 16 (sixteen) contact hours; and one continuing education unit is 10 (ten) contact hours.

(3) On-Line Courses and Examination. Continuing education credit for on-line course is given based on the average number of contact hours needed to complete the course. The course shall include study text and a written examination having a minimum of 10 (ten) questions and a minimum passing grade of 70%. A provider must determine the average number of contact hours it takes to complete the on-line course and submit this information with its application for continuing education course provider approval.

(4) On-site Courses and Examination. Continuing education credit for those on-site courses where an examination is given shall include a minimum of 10 (ten) questions and a minimum passing grade of 70%. A provider must set the number of hours permitted to take the on-site examination and submit this information with its application for continuing education course provider approval.

(5) Totaling Annual Hours. No credit shall be allowed for a course having fewer than one (1) contact hour required for the licensee's license.

Authority:

History:

Author: Hendon B. Coody

### **303-X-5.05 Advertisements by Approved Course Providers and Instructors**

(1) Approved course providers and instructors who state in their advertisements, brochures or other course descriptions that a particular course meets the requirement of the Alabama Board of Electrical Contractors for continuing education shall so state exactly as follows:

This course meets the requirements of the Alabama Board of Electrical Contractors for \_\_\_\_\_ contact hours of continuing education credit. This course is not provided by the Board.

(2) Only approved course providers and their instructors may represent or advertise that a particular provider and/or a course meets the Board's requirements for continuing education. If a provider advertises or represents falsely that it is approved or its course is approved, the Board may refer the matter to the appropriate authorities for action.

Authority:

History:

Author: Hendon B. Coody

### **303-X-5-.06 Revocation of Course Provider Approval**

(1) The Board may revoke, suspend or terminate the agreement with any approved continuing education course provider and/or instructor if the Board determines that either has failed to comply with the terms of the agreement or the Rules of the Board.

(2) The Board shall have the authority to monitor courses to determine whether the course provider and instructor are complying with the terms of the agreement and the Rules of the Board.

(3) All course providers, whether approved by the Board or seeking approval from the Board, shall allow the members of the Board, the Executive Director or an appointed representative of the Executive Director to audit or review any course in whole or in part without notification to the provider or cost to the member/auditor/reviewer. If the course education is provided on-line, the necessary information for website examination access shall be submitted to the Executive Director by the provider before the commencement of the course. Failure to comply with these policies on course audit and/or review will be grounds for revocation of the provider's approval by the Board.

Authority:

History:

Author: Hendon B. Coody